

**To:** Card, Joan[Card.Joan@epa.gov]  
**From:** McGrath, Shaun  
**Sent:** Thur 11/12/2015 3:08:31 PM  
**Subject:** RE: URGENT media inquiry - AP on CO disputing our internal GKM report

I talked to Matt about it, and he was going to look into it. I will follow up with him, forwarding Christie's email.

**From:** Card, Joan  
**Sent:** Thursday, November 12, 2015 8:05 AM  
**To:** McGrath, Shaun  
**Subject:** Fwd: URGENT media inquiry - AP on CO disputing our internal GKM report

Did you discuss the letter with Matt, Stan and Mathy? My instinct is that this desk statement needs to be crafted with their input and Liz's too.

Joan Card

Senior Policy Advisor

Region 8

Sent from my EPA iPad

Begin forwarded message:

**From:** "StClair, Christie" <StClair.Christie@epa.gov>  
**Date:** November 12, 2015 at 7:57:38 AM MST  
**To:** "Deitz, Randy" <Deitz.Randy@epa.gov>, "Mahmud, Shahid" <Mahmud.Shahid@epa.gov>, "Keller, Melanie" <Keller.Melanie@epa.gov>, "Dreyfus, Melissa G." <Dreyfus.Melissa@epa.gov>, "Woolford, James" <Woolford.James@epa.gov>, "Fitz-James, Schatzi" <Fitz-James.Schatzi@epa.gov>, "Gray, David" <gray.david@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Stalcup, Dana" <Stalcup.Dana@epa.gov>, "Wells, Suzanne" <Wells.Suzanne@epa.gov>, "Cohen, Nancy" <Cohen.Nancy@epa.gov>, R8 GKM Leadership Team <R8\_GKM\_LeadershipTeam@epa.gov>  
**Subject:** URGENT media inquiry - AP on CO disputing our internal GKM report

All,

Dan Elliott of the Associated Press has until noon MTN/2 Eastern to file a story on CO DNR's disputing many details in our internal GKM review.

Given the timeframe, I suspect a desk statement may be the best way to go here, rather than a detailed response.

Who can take the lead?

Thanks,

Christie

Here's the inquiry:

The Colorado Department of Natural Resources has taken issue with several parts of the EPA's Aug. 24 report, "EPA Internal Review of the August 5, 2015 Gold King Mine Blowout," as well as at least one statement in the Bureau of Reclamation's October report, "Technical Evaluation of the Gold King Mine Incident." I'd like the EPA's responses to the following points, all of which raise contradictions between the state's account and the reports by EPA and Reclamation:

1. In a Sept. 2 letter to Daniel Hawthorne of the EPA in Denver, which I obtained through a Colorado Open Records Act request, Colorado Department of Natural Resources Executive Director Mike King said personnel from the Division of Reclamation, Mining and Safety did not "approve or disapprove any of the work EPA was conducting there." This contradicts the Bureau of Reclamation report, which says on Page 52, "DRMS again discussed the plan to reopen the adit with the EPA OSC and were in agreement to proceed." A spokesman for the Department of Natural Resources, Todd Hartman, said in an email to me that the statement in the Reclamation report is incorrect.

2. The EPA internal review states on Page 6 that that two DRMS experts "supported the removal investigation at the Adit and were present at the site during the operations on August 4 and 5." King's letter contradicts this, saying "DRMS was acting as a consultant on the Red and Bonita mine only and was not involved with directing work at the Gold King. DRMS personnel were observers only with respect to the August 5 event and were not

present at the time of the release."

3. The EPA internal review states on Page 6 that "... a determination of no or low mine water pressurization was made by experienced professionals from EPA and the DRMS." King's letter also contradicts this, saying, "DRMS did not make any determination of mine water pressure at the Gold King Mine."

4. The EPA internal review states on Page 6, "The Animas River Stakeholders Group (ARSG) had been given a presentation by [redacted], EPA's On-Scene Coordinator (OSC) and with DRMS, as documented in the May ARSG Meeting Summary." King's letter states, "Allen Sorenson's presentation at the May 27, 2015 meeting of the Animas River Stakeholders Group was on the Red and Bonita bulkhead design only." Allen Sorenson was the DRMS official referred to in the EPA internal review.

**Christie St. Clair**

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